

SENATE BILL 2042
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 36 and Title 37, relative to adoption and foster care.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-1-108(d)(2), is amended by adding the following language at the end of the subdivision:

No employee of the department shall make any recommendation regarding or comment upon any information concerning such attorney, licensed child-placing agency or licensed clinical social worker.

SECTION 2. Tennessee Code Annotated, Section 36-1-120, is amended by adding the following new subsection (c) and by redesignating the subsequent subsections:

(c) The court shall review the affidavits required in subsection (b) and shall determine whether all fees set forth therein are reasonable. The court shall retroactively approve such fees or order the reimbursement of any fees it determines to be unreasonable.

SECTION 3. Tennessee Code Annotated, Section 36-1-102(1), is amended by adding the following new subdivisions:

(H)(i) Any party alleging abandonment shall be required to demonstrate to the court that the parent or guardian who is the subject of a petition for termination of parental rights or adoption, has been given written notice by certified mail that the consequences of such parent or guardian willfully failing to visit or willfully failing to

support or make reasonable payments toward the support of the child for a period of four (4) consecutive months will be the termination of such parent or guardian's parental rights.

(ii) Any party alleging abandonment as defined by subdivisions (A)(ii), (A)(iii), or (A)(iv) of Tennessee Code Annotated, Section 36-1-102(1), shall be required to demonstrate to the court that any parent or guardian who is the subject of a petition for termination of parental rights or adoption, has been given written notice by certified mail that the consequences of such willful behavior as set out in such subdivisions will be the termination of such parent or guardian's parental rights. Such written notice shall specifically set out the grounds upon which such termination is sought.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.